

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

OSCAR MORENO BRIZ,

Plaintiff,

vs.

PROTRANS INTERNATIONAL, LLC

Defendant.

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CIVIL ACTION NO. 7:22-cv-00144

**UNOPPOSED MOTION TO APPEAR AT CONFERENCE VIA
TELEPHONIC AND/OR ELECTRONIC MEANS**

Defendant, Protrans International, LLC, (“Protrans”) by and through its undersigned counsel, hereby moves this Court to allow its counsel to appear telephonically or by other means to the conference set for August 30, 2023 at 4:00pm. In support of this Motion, Protrans states the following:

1. Pursuant to this Court’s Order dated August 14, 2023 [ECF No. 44], a conference to consider the parties’ “Joint Response to Court’s Order at ECF No. 42”, has been scheduled for August 30, 2023 at 4:00pm.
2. Protrans assumes that this conference is intended to be held in person in McAllen, Texas.
3. Protrans’ lead legal counsel – Katherine Erdel and Andrew Gruber – are located in Indianapolis, Indiana, and local counsel, from the same firm – Leanna Anderson and Spencer Hamilton – are located in Dallas, Texas.
4. Counsel for plaintiff is located in Little Rock, Arkansas.
5. Thus, all attorneys who are familiar with and have appearances on file in this case are located at least approximately 500 miles away from McAllen, if not much further.

6. The conference has been set to discuss a matter that is not contentious between the parties and, given that it has been set near the end of the day, starting at 4:00pm, Protrans assumes that the Court intends it to be brief.

7. Accordingly, Protrans hereby requests this Court to permit its counsel to appear and participate in this conference via telephonic and/or other electronic means.

8. Counsel for plaintiff has indicated that plaintiff is not opposed to this motion.

9. Importantly, there is no hardship or prejudice to any party and this motion is being made with ample time to coordinate electronic appearances for all parties who so wish to appear. Further, the granting of this motion will save the parties (who are attempting to minimize further expenses and resolve this case through a reasonable settlement) the costs of travel and accommodations.

10. Protrans does not oppose the same courtesy being afforded plaintiff.

WHEREFORE, Defendant, Protrans International, LLC, by counsel, hereby moves this Court to grant its Motion and permit its counsel to appear for the August 30, 2023 conference at 4:00pm via telephonic and/or electronic means; and for all other just and proper relief.

Dated: August 17, 2023

Respectfully submitted,

/s/ Spencer Hamilton

Andrew W. Gruber (*pro hac vice*)

Katherine G. Erdel (*pro hac vice*)

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CERTIFICATE OF CONFERENCE

I hereby certify that counsel for the parties conferred on August 15, 2023 regarding the subject matter of this Motion. Counsel for Plaintiff does not oppose the requested relief or oppose the same relief being granted to Counsel for Plaintiff.

CERTIFICATE OF SERVICE

On August 17, 2023 I electronically filed a true and correct copy of the foregoing document using the Court's CM/ECF system, which provided notice to the following attorneys of record:

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/s/ Spencer Hamilton
Counsel for Defendant